

## **Program A: Administrative**

Program Authorization: R.S. 47:1401 et seq.

### **Program Description**

The mission of the Administrative Program of the Board of Tax Appeals is to resolve equitably, fairly, and expeditiously any disputes between taxpayers and the Department of Revenue.

The goals of the Administrative Program of the Board of Tax Appeals are:

1. To protect taxpayer's rights to appeal at minimum expense.
2. To maintain an efficient filing and processing of taxpayer appeals to both the Legal Division and the Collection Division of the Department of Revenue for an expeditious resolution.
3. To develop and maintain an open working communication with the Secretary of the Department of Revenue.
4. To make the Board's rules and requirements for filing an appeal simple and convenient for all taxpayers.
5. To handle all taxpayer issues that come before the board in a professional, fair, and equitable manner.
6. To maintain the integrity and independence of the Board of Tax Appeals.

The Board of Tax Appeals has the authority to hear appeals from the imposition of the following types of taxes; individual income; corporate income; corporate franchise; excise; severance; sales and use; withholding; motor vehicle; transportation and communication; hazardous waste; inspection and supervision; and inventory and special fuels. If a taxpayer is aggrieved by an assessment made by the Secretary of the Department of Revenue, the taxpayer files a petition with the Board of Tax Appeals seeking relief. The department has 30 days in which to answer the allegations. The case is assigned for hearing, at which time either party may introduce evidence. After hearing the case and considering the record, the law and evidence, a judgment is rendered by the Board of Tax Appeals. If the judgment is not appealed by either party within 30 days, it becomes final.

The Board also approves or disapproves claims against the state. If the claim is approved by the Board, the legislature is authorized to appropriate funds to pay the claim. In addition, the Board of Tax Appeals is authorized to review and approve or disapprove the following: offers of compromise; penalty waiver requests; tax lien releases and re-determination of final assessments submitted by the Secretary of the Department of Revenue. The Board also hears appeals from the Secretary's denial of claims or tax refunds or the Secretary's refusal to act on claims or refunds.

## RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2001-2002	ACT 13 2002-2003	EXISTING 2002-2003	CONTINUATION 2003-2004	RECOMMENDED 2003-2004	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$231,435	\$232,444	\$232,444	\$259,260	\$243,403	\$10,959
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	17,319	25,160	25,160	25,160	25,160	0
Statutory Dedications	0	2,895	2,895	0	0	(2,895)
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	<b>\$248,754</b>	<b>\$260,499</b>	<b>\$260,499</b>	<b>\$284,420</b>	<b>\$268,563</b>	<b>\$8,064</b>
EXPENDITURES & REQUEST:						
Salaries	\$101,964	\$108,484	\$108,484	\$112,810	\$108,471	(\$13)
Other Compensation	34,100	34,000	34,000	34,000	34,000	0
Related Benefits	25,561	30,956	30,956	33,113	34,321	3,365
Total Operating Expenses	44,470	49,279	49,279	58,179	54,104	4,825
Professional Services	28,800	28,800	28,800	29,517	28,800	0
Total Other Charges	3,113	8,155	8,155	8,151	8,042	(113)
Total Acq. & Major Repairs	10,746	825	825	8,650	825	0
TOTAL EXPENDITURES AND REQUEST	<b>\$248,754</b>	<b>\$260,499</b>	<b>\$260,499</b>	<b>\$284,420</b>	<b>\$268,563</b>	<b>\$8,064</b>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	3	3	3	3	3	0
<b>TOTAL</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>0</b>

## SOURCE OF FUNDING

This program is funded with State General Fund and Fees and Self-generated Revenues. Fees and Self-generated Revenues are derived from filing fees based on the amount in dispute and charges for copies of transcripts of hearings.

	<b>ACTUAL</b>	<b>ACT 13</b>	<b>EXISTING</b>	<b>CONTINUATION</b>	<b>RECOMMENDED</b>	<b>RECOMMENDED</b>
	<b>2001-2002</b>	<b>2002-2003</b>	<b>2002-2003</b>	<b>2003-2004</b>	<b>2003-2004</b>	<b>OVER/(UNDER)</b>
						<b>EXISTING</b>
Deficit Elimination/Capital Outlay Escrow Replenishment Fu	\$0	\$2,895	\$2,895	\$0	\$0	(\$2,895)

## MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
<b>\$232,444</b>	<b>\$260,499</b>	<b>3</b>	<b>ACT 13 FISCAL YEAR 2002-2003</b>
			<b>BA-7 TRANSACTIONS:</b>
\$0	\$0	0	None
<b>\$232,444</b>	<b>\$260,499</b>	<b>3</b>	<b>EXISTING OPERATING BUDGET - December 2, 2002</b>
\$127	\$127	0	Risk Management Adjustment
\$0	\$825	0	Acquisitions & Major Repairs
\$0	(\$825)	0	Non-Recurring Acquisitions & Major Repairs
(\$217)	(\$217)	0	Legislative Auditor Fees
(\$23)	(\$23)	0	UPS Fees
(\$13)	(\$13)	0	Salary Base Adjustment
\$2,242	\$2,242	0	Group Insurance Adjustment
\$0	(\$2,895)	0	Other Non-Recurring Adjustments - Group Benefits premium adjustment
(\$424)	(\$424)	0	Other Adjustments - Cuts to fund the retirement and group insurance adjustments
\$6,047	\$6,047	0	Other Adjustments - Reimbursement costs for travel for the Board members
\$1,780	\$1,780	0	Other Adjustments - Funding for increased costs for legal subscriptions to Westlaw and for postal expenses
\$1,440	\$1,440	0	Other Adjustments - Funding for increased rent at the Quad 1 Building in Baton Rouge
<b>\$243,403</b>	<b>\$268,563</b>	<b>3</b>	<b>TOTAL RECOMMENDED</b>
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS</b>
<b>\$243,403</b>	<b>\$268,563</b>	<b>3</b>	<b>BASE EXECUTIVE BUDGET FISCAL YEAR 2003-2004</b>
			<b>SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:</b>
\$0	\$0	0	None
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE</b>
<b>\$243,403</b>	<b>\$268,563</b>	<b>3</b>	<b>GRAND TOTAL RECOMMENDED</b>

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## **PROFESSIONAL SERVICES**

\$28,800     Funding for legal services for the Board

**\$28,800     TOTAL PROFESSIONAL SERVICES**

**OTHER CHARGES**

\$0 None

**\$0 SUB-TOTAL OTHER CHARGES****Interagency Transfers:**

\$4,387 Office of Telecommunication Management

\$2,463 Legislative Auditor

\$934 Office of Risk Management

\$258 Office of Uniform Payroll System

**\$8,042 SUB-TOTAL INTERAGENCY TRANSFERS****\$8,042 TOTAL OTHER CHARGES**

## **ACQUISITIONS AND MAJOR REPAIRS**

\$825 Replacement of office furniture and equipment

**\$825 TOTAL ACQUISITIONS AND MAJOR REPAIRS**